

ORDERED.



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Dated: April 05, 2010

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A handwritten signature in black ink, appearing to read "Eileen W. Hollowell", is written over a horizontal line.

EILEEN W. HOLLOWELL
U.S. Bankruptcy Judge

**IN THE UNITED STATE BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:

William and Kelly Dominguez,

Debtors.

Wells Fargo Bank, NA

Movant,

v.

William and Kelly Dominguez, Debtors; and
Dianne C. Kerns, Trustee.

Respondents.

Case No.: 04:09-bk-21627-EWH
In Proceedings under Chapter 13

**ORDER ON STIPULATION TO
REINSTATE THE AUTOMATIC STAY**

A Motion for Relief from the Automatic Stay was noticed in the within matter and filed
by Wells Fargo Bank, NA.

IT IS HEREBY STIPULATED by and between Debtors, William and Kelly Dominguez, and Movant, Wells Fargo Bank, NA., and through their respective attorneys of record as follows:

1. This stipulation affects the real property located at 2025 W. Wetmore Road, Tucson, AZ, 85705 ("the Property").
2. On or about February 18, 2010, Movant filed a *Motion to Lift the Automatic Bankruptcy Stay* for alleged post-petition default on the Property.
3. Since the filing of their bankruptcy on September 2, 2009, Debtors have been in a conduit Chapter 13 Plan, which should have resulted in post-petition mortgage payments to be made through the Chapter 13 Plan. Debtors have been current on their Plan payments since September 2, 2009, and any post-petition mortgage arrears were not the fault of the Debtors.
4. The Chapter 13 Plan was amended on February 5, 2010 to provide the proper payment information to the Chapter 13 trustee and to have the conduit payments released.
5. The Chapter 13 Trustee has already released the post-petition mortgage payment for February. Payments for October, 2009 through January, 2010 will be released, along with the current March payment, on March 31st, 2010.
6. Payments to Movant will be current as of April 1, 2010, and all payments going forward will be made through the Chapter 13 Plan.
7. Debtor's counsel filed a *Motion to Reconsider Order Granting the Motion for Relief from Stay*. That Motion will be withdrawn once the Stipulation to Reinstate the Automatic Stay is filed.
8. The Automatic Bankruptcy Stay is reinstated as there is no current default to Movant.

IT IS ORDERD.

DATED: _____

UNITED STATES BANKRUPTCY JUDGE